

EXHIBIT J

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BUNGIE, INC.,

Plaintiff,

v.

AIMJUNKIES.COM; PHOENIX DIGITAL
GROUP LLC; DAVID SCHAEFER; JORDAN
GREEN; JEFFREY CONWAY; JAMES MAY,

Defendants.

No. 2:21-cv-811-TSZ

BUNGIE, INC.'S OBJECTIONS AND
RESPONSES TO DEFENDANT
PHOENIX DIGITAL GROUP LLC'S
FIRST SET OF INTERROGATORIES

PRELIMINARY STATEMENT

The objections and responses set forth below are based upon such information that is presently available to Bungie. Bungie provides these objections and responses without prejudice to its right to assert additional objections and amend or supplement any or all of the information contained in its responses as additional facts are ascertained, analyses are made, and research is completed. These objections and responses are made without waiving or intending to waive, but on the contrary preserving:

a. all assertions as to competency, relevancy, materiality, privilege, and admissibility as evidence for any purpose of the responses or subject matter thereof, in any proceeding in this action, including trial, or in any other action;

12. Bungie further objects to Definition 2 of Phoenix Digital’s First Set of Requests for Production, which have been incorporated into Phoenix Digital’s First Set of Interrogatories on the grounds that it is vague and ambiguous, specifically as to the meaning of the term “indirectly.” For purposes of these objections and responses, Bungie interprets this definition to encompass only legal entities owned directly by Bungie.

RESPONSES

INTERROGATORY NO. 1:

Identify by specific reference, (e.g., page and line number) to any documents produced by Bungie in response to Phoenix Digital’s Document Interrogatories Nos. 1-4, served June 23, 2022, any and all portions of the “Destiny...computer software code” that you contend have been “copied” by Defendants as alleged in Paragraph 105 of the Amended Complaint filed May 19, 2022.

RESPONSE TO INTERROGATORY NO. 1:

In addition to its General Objections, Bungie objects to this Interrogatory as premature. Despite prior representations regarding their possession of the source code for the cheat software at issue, Defendants have not produced such source code in response to Bungie’s discovery requests. Bungie expressly reserves its rights to supplement this response when such source code has been produced. Bungie further objects to this request as vague, ambiguous and unduly burdensome. Identifying copied object code for *Destiny 2* by “page and line number” is not reasonably feasible or practical.

Subject to and without waiving these objections, Bungie responds as follows: Bungie contends that Defendants have made copies of the entirety of the object code for *Destiny 2*, as well as specifically copied and modified object code that corresponds to the data structures for player positioning, combatant positioning, rendering functions and the angle deltas for mouse movements. Bungie is willing to meet and confer regarding other methods to identify the copied object code.

1 Dated: September 12, 2022

By: s/ Jacob P. Dini

William C. Rava, Bar No. 29948

Jacob P. Dini, Bar No. 54115

Perkins Coie LLP

1201 Third Avenue, Suite 4900

Seattle, Washington 98101-3099

Telephone: +1.206.359.8000

Facsimile: +1.206.359.9000

WRava@perkinscoie.com

JDini@perkinscoie.com

Attorneys for Plaintiff BUNGIE, INC.,

26 BUNGIE'S OBJ. AND RESP. TO PHOENIX
DIGITAL'S FIRST SET OF ROGS – 12
(NO. 2:21-CV-811-TSZ)

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington 98101-3099
Phone: +1.206.359.8000
Fax: +1.206.359.9000

VERIFICATION OF INTERROGATORY ANSWERS

I, Edward Kaiser, am an Engineering Lead for Bungie, Inc. and I believe, based on reasonable inquiry, that the foregoing answers are true and correct to the best of my knowledge, information, and belief.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on September 12, 2022.

By: _____
Edward Kaiser

I, Edward Kaiser, am an Engineering Lead for Bungie, Inc. and I believe, based on reasonable inquiry, that the foregoing answers are true and correct to the best of my knowledge, information, and belief.

Executed on September 12, 2022.

By: Edwi
Edward Kaiser

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington 98101-3099
Phone: +1.206.359.8000
Fax: +1.206.359.9000

CERTIFICATE OF SERVICE

The undersigned hereby certifies that they served a copy of the foregoing Bungie, Inc.'s Objections and Responses to Defendant Phoenix Digital Group LLC's First Set of Interrogatories to the following on September 12, 2022, via email at the address below:

Philip P. Mann, WSBA No. 28860
Mann Law Group PLLC
403 Madison Ave. N.
Suite 240
Bainbridge Island, WA 98110
Email: phil@mannlawgroup.com

Dated: September 12, 2022

s/ Christian W. Marcelo
Christian W. Marcelo

CERTIFICATE OF SERVICE
(No. 2:21-cv-811-TSZ)

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington 98101-3099
Phone: +1.206.359.8000
Fax: +1.206.359.9000